

**WYOMING'S
OIL AND GAS LEASING REFORM
IMPLEMENTATION PLAN
AUGUST 2010**

Executive Summary

Introduction

This plan establishes a process for ensuring orderly, effective and timely implementation of Oil and Gas Leasing Reform for Wyoming BLM, to comply with WO-IM 2010-117. This implementation process conforms with law and regulation requiring four lease sales per year, while providing for a clear, consistent leasing process designed to protect multiple resource values. Wyoming is currently in a transition and will fully implement the provisions of the Lease Reform Implementation Plan starting with the oil and gas lease sale in May 2011. This implementation plan includes the following four key components:

- Land Use Planning – Adequacy, Consistency, and Adaptive Management
- Master Leasing Plans
- Lease Parcel Review and Lease Issuance Process
- Implementation Plan and Report

Wyoming Field Offices manage approximately 17.68 million acres of BLM administered public lands and 27.9 million acres of Federal mineral estate in Wyoming. Newcastle Field Office also manages approximately 6,600 acres of public lands and 240,000 acres mineral estate in Nebraska. Currently there are four Resource Management Plans (RMP) revisions occurring in the Worland, Cody, Lander and Buffalo Field Offices. Recent RMP revisions have been completed for Pinedale (2008/2004), Casper (2007), Rawlins (2008), Kemmerer (2010), Rock Springs (2006/1997), Newcastle (2000) and Nebraska (1992). Wyoming BLM is beginning the process of six RMP amendments to comply with WY- IM 2010-12 for Sage-grouse “Manageability.” A few of the highlights from some of the key components are as follows:

Land Use Planning – Adequacy, Consistency, and Adaptive Management

Stipulation Consistency

The Wyoming Stipulation Committee (WSC) will review our Wyoming oil and gas lease stipulations for consistency between Field Offices/Districts and consistency with the WO-approved format. In addition, the WSC is reviewing stipulations for consistency in current RMP revisions. This action will help identify differing stipulations proposed through proposed RMP actions prior to the Draft EISs becoming available.

Edge Matching Lease Stipulations

Across Field Office and District Boundaries: District Resource Advisors will conduct edge matching exercises across Field and District Office boundaries within Wyoming.

Across State Boundaries: The Rocky Mt. Regional Coordination Committee was involved in standardizing lease stipulations in Rocky Mt. States in the late-1980s; it is our proposal to re-instate this committee for review of oil and gas lease consistency across state boundaries.

All existing stipulations that are inconsistent across field office or state boundaries or with WO-approved format will be “flagged” for corrective action.

Master Leasing Plans

During the parcel review process, the District Office Interdisciplinary Parcel Review (DIDPR) Team will evaluate the nominated parcels to determine if the area of the nominated parcel meets the MLP criteria as outlined in the Leasing Reform IM. State Director approval is required prior to establishing a MLP.

Six different proposal letters from sole organizations or organization consortiums have been submitted concerning numerous MLPs in Wyoming. The proposal letters were submitted by the following groups:

- The Wilderness Society,
- Greater Yellowstone Coalition,
- Wyoming Outdoor Council,
- Wyoming Wilderness Association,
- Powder River Basin Resource Council,
- Biodiversity Conservation Alliance,
- Western Resource Advocates,
- Trout Unlimited,
- Theodore Roosevelt Conservation Partnership,
- Wyoming Wildlife Federation,
- Sportsmen for Responsible Energy Development,
- United Steelworkers,
- Bowhunters of Wyoming,
- The Mule Deer Foundation,
- Center for Native Ecosystems, and
- The Colorado Environmental Coalition.

Lease Parcel Review and Lease Issuance Process

Wyoming will use a 3-tier parcel review structure; a District Interdisciplinary Parcel Review (DIDPR) Team, a State Interdisciplinary Parcel Review (SIDPR) Team and a Wyoming Stipulation Committee (WSC) which will provide State-wide stipulation consistency and oversight. A core team of specialists within the DIDPR Team will be responsible for writing the District-wide Environmental Assessment (EA) and for submission of all documents to the Wyoming State Office.

District Rotational Parcel Review Schedule

We will hold two sales per District Office per year with the following schedule:

February	High Plains (HPDO), and Wind River Big Horn Basin (WRBHBDO)
May	High Desert (HDDO)
August	HPDO and WRBHBDO
November	HDDO

Environmental Assessments

District level environmental assessments (EA) and recommendation memos will be prepared by each DIDPR Team for submission to the Wyoming State Office (WSO). Each EA will be structured with the following range of alternatives:

- Alternative I - No Leasing Alternative
- Alternative II - Lease with Appropriate Deferrals and Deletions Alternative (reflection of Recommendation Memo)
- Alternative III - Lease All Nominated Parcels Alternative

Mandatory 30-day Public Comment Period for EAs

Districts will provide a 30-day public review and comment period for the EA and unsigned Finding of No Significant Impact (FONSI) for oil and gas leasing before forwarding the leasing recommendation to the Wyoming State Office. The implementation plan work process schedule will provide an opportunity to brief the State Office on each District EA and Recommendation Memo prior to the opening of the public comment period.

Opportunities and Challenges

Processing lease parcel nominations on a District basis will allow greater opportunity for standardization of lease stipulations between Field Offices and will reduce the number of leasing recommendation NEPA documents for each lease sale in Wyoming from ten to one or two. Nominations for each District will only be processed twice a year, instead of the current four times per year. This situation may present a challenge to parcel nominators who will have a longer wait from parcel nomination to lease parcel offer/issuance.

Writing/rewriting EA's, conducting public participation and responding to comments, resolving protests, and compiling a complete administrative record will all add additional workload to the leasing process. This additional workload represents the need for nine (9) Full Time Equivalents' (FTE) statewide. The lack of additional base funding to compensate for the additional leasing workload will mean other priority energy workload will not be accomplished or would be delayed (i.e., APDs, I&E, etc.).

Memorandums of Understanding (MOUs) with some partners may need to be updated to reflect the new leasing process, and provide additional opportunities for partner participation.

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List of Abbreviations

BOR	Bureau of Reclamation
CIAA	Cumulative Impacts Analysis Area
DIDPR	District Interdisciplinary Parcel Review
DM	District Manager
DNA	Determination of NEPA Adequacy
DSD	Deputy State Director
EA	Environmental Assessment
EIS	Environmental Impact Statement
EOI	Expression of Interest
FM	Field Manager
FO	Field Office
FOIA	Freedom of Information Act
FONSI	Finding Of No Significant Impact
FOOGLRA	Federal Onshore Oil and Gas Leasing Reform Act
HDD	High Desert District Office
HPDO	High Plains District Office
IDCR	Interdisciplinary Consistency Review
IM	Instruction Memorandum
MLP	Master Leasing Plan
NEPA	National Environmental Policy Act
NPS	National Park Service
OEA	Office of External Affairs
RMP	Resource Management Plan
SD	State Director
SIDPR	State Interdisciplinary Parcel Review
SMA	Surface Management Agencies
WSO	Wyoming State Office
USFS	United States Forest Service
WGFD	Wyoming Game and Fish Department
WRBHBDO	Wind River/Big Horn Basin District Office
WSC	Wyoming Stipulation Committee
WO	Washington Office

I. Land Use Planning – Adequacy, Consistency, and Adaptive Management

A. Resource Management Plan Adequacy

Through RMP effectiveness monitoring, field office, district office and the state office will review resource management decisions to ensure that the RMPs adequately protect important resource values in light of changing circumstances, updated policies, and new information. Depending on findings, these reviews may require land use plan maintenance, amendment, or revision.

B. Stipulation Consistency

The Wyoming Stipulation Committee (WSC) has historically been in-place with the task of reviewing consistency of oil and gas stipulations on a state-wide basis. With additional duties assigned, this committee will function as the IDCR Team (identified in WO IM 2010-117) in Wyoming. The purpose of the WSC is to ensure that lease stipulations are written in a WO-approved format, stipulation language is consistent between field and district offices and stipulations edge-match across administrative boundaries. In addition, the WSC is reviewing stipulations for consistency in current RMP revisions and amendments. This action will help identify inconsistent stipulations prior to the Draft EISs becoming available. See Figure 2, Standardizing Lease Stipulations.

A list of Wyoming stipulations currently being used throughout the state was submitted for review to the WO. Once this BLM-wide review is complete, Wyoming stipulations that are inconsistent with Washington Office standards will be “flagged” for corrective action.

Wyoming BLM will request review of lease stipulations by the Office of the Regional Solicitor to ensure the enforceability of existing, new, or revised lease stipulations.

Edge Matching Lease Stipulations – Field Office and District Office Boundaries

District Resource Advisors will conduct edge matching consistency exercises across Field and District Office boundaries. These exercises and findings will be coordinated with the WSC. See Figure 3, Edge Matching Lease Stipulations.

Edge Matching Lease Stipulations – State Boundaries

The WSO will contact the Rocky Mountain States to see if there is any interest in the re-institution of the Rocky Mt. Regional Coordination Committee. This committee was involved in standardizing lease stipulations within the Rocky Mountain States in the late 1980s. This committee could review current lease stipulation consistency issues across the Rocky Mountain State’s boundaries. Any meetings and findings will be coordinated with the WSC. See Figure 3, Edge Matching Lease Stipulations.

Wyoming WO-approved stipulations that are inconsistent across Field Office, District Office and State boundaries will be “flagged” for corrective actions.

C. Adaptive Management

RMPs and associated lease stipulations, including those lease stipulations developed at the national level, will conform to the *Exceptions, Waivers, and Modifications of Fluid Minerals Stipulations and Conditions of Approval, and Associated Rights-of-way Terms and Conditions* (WO-IM-2008-032, dated November 27, 2007). As appropriate, stipulations will use Adaptive Management principles, incorporate the best available science, and address changing resource conditions. In addition, lease stipulation “modification” criteria will allow for an increasing level of environmental protection when changing circumstances warrant stronger measures to meet goals, objectives, and outcomes identified in the RMPs.

II. Master Leasing Plans

The preparation of a MLP is required when all four of the criteria listed below and included in WO IM-2010-117 are met. The MLP process, if warranted, will be conducted before lease issuance and may reconsider RMP decisions pertaining to leasing. Establishment of areas subject to MLPs must be approved in advance by the State Director.

Master Leasing Plan Criteria:

- A substantial portion of the area to be analyzed in the MLP is not currently leased.
- There is a majority Federal mineral interest.
- The oil and gas industry has expressed a specific interest in leasing, and there is a moderate or high potential for oil and gas confirmed by the discovery of oil and gas in the general area.
- Additional analysis or information is needed to address likely resource or cumulative impacts if oil and gas development were to occur where there are:
 - Multiple-use or natural/cultural resource conflicts;
 - Impacts to air quality;
 - Impacts on the resources or values of any unit of the National Park System, national wildlife refuge, or National Forest wilderness area, as determined after consultation or coordination with the NPS, the FWS, or the FS; or
 - Impacts on other specially designated areas.

A. Identifying and Evaluating Potential Resource Conflicts in an MLP

The following is a list of national and local resource issues that should be considered when developing a MLP:

- Ambient air quality and potential impacts, including cumulative impacts to air quality from development.
- The effect of oil and gas leasing on lands that the BLM may identify as having wilderness characteristics and lands with special designations such as lands within the National Landscape Conservation System and Areas of Critical Environmental Concern.
- Special Recreation Management Areas.

- Nearby state, tribal, or other Federal agency lands, including NPS and FWS lands that could be adversely affected by BLM-authorized oil and gas development.
- Important cultural resources, including traditional cultural properties of importance to Native American tribes and historic trails.
- Scientifically significant paleontological resources.
- Fisheries and wildlife habitat, migration corridors, and rare plants.
- Status of visual resource inventories and appropriate designations of Visual Resource Management classes.
- Watershed conditions, steep slopes, and fragile soils.
- Municipal watersheds and aquifers.
- Public health and safety.
- The ability to achieve interim and final reclamation standards.

B. Potential MLP Decisions

As a general rule, resource protections identified through the MLP process will be addressed as new or modified plan decisions.

The following are examples of planning decisions that may be considered through the MLP process with appropriate supporting NEPA analysis:

- Phased leasing.
- Lease stipulations including No Surface Occupancy, Timing Limitation, and Controlled Surface Use.
- Planned or required unitization of Federal lands.
- Phased development.
- Caps on new surface disturbance, pending acceptable interim or final reclamation.
- Best management practices, such as:
 - Use of existing infrastructure.
 - Multiple wells on a single pad.
 - Requirements to reduce or capture emissions.
 - Liquids gathering systems to centralized offsite production facilities.
 - Placement of all linear disturbances in corridors.
 - Extensive interim reclamation of roadway disturbance to the road surface and of pads to the wellhead.
 - Final reclamation restoring the landform and native plant community.

Master Leasing Plan Process:

Industry expressions of interest (EOI) under the Leasing Reform Process will drive the internal identification and review for potential MLPs in Wyoming. As a result, no MLPs have been internally identified in Wyoming. Because of the widespread and mature nature of oil and gas leasing and development in Wyoming, the availability of areas that meet all four of the MLP criteria will be rare.

Nominated parcels will each be reviewed for the potential of a MLP by each DIDPR Team. If a potential MLP area is identified through this review, the District Manager will brief and request approval from the State Director to prepare a MLP. Each leasing recommendation EA prepared by the respective District will address the required criteria for MLPs and whether or not any parcels for that particular sale meet the MLP criteria.

Six different proposal letters from sole organizations or organization consortiums have been submitted concerning numerous MLPs in Wyoming. The proposal letters were submitted by the following groups:

- The Wilderness Society,
- Greater Yellowstone Coalition,
- Wyoming Outdoor Council,
- Wyoming Wilderness Association,
- Powder River Basin Resource Council,
- Biodiversity Conservation Alliance,
- Western Resource Advocates,
- Trout Unlimited,
- Theodore Roosevelt Conservation Partnership,
- Wyoming Wildlife Federation,
- Sportsmen for Responsible Energy Development,
- United Steelworkers,
- Bowhunters of Wyoming,
- The Mule Deer Foundation,
- Center for Native Ecosystems, and
- The Colorado Environmental Coalition.

III. Lease Parcel Review and Lease Issuance Process

The purpose of the lease parcel review by the field offices is to determine the conditions under which leasing and eventual development should occur if allowed to proceed. The goal of the parcel review and NEPA compliance process is to:

1. Determine parcel availability;
2. Evaluate existing stipulations;
3. Identify new stipulations;
4. Provide for public involvement; and
5. Develop detailed background information for the NEPA compliance process.

See Appendix A, Oil and Gas Competitive Lease Sale Process for specific work flow processes.

A. Parcel Review Timeframes

Wyoming will hold lease sales four times per year, as required by the Mineral Leasing Act, section 226(b)(1)(A), and 43 CFR 3120.1-2(a), when eligible lands are determined to be available for leasing. See Table 1; Appendix A; and Figure 1 for detailed parcel review timeframes. Wyoming has developed a sales schedule with the emphasis on rotating lease parcel review responsibilities among field offices/district offices throughout the year to balance the workload and to allow each field office/district

office sufficient time to implement the parcel review policy established in WO-IM-2010-117. The Wyoming district sales rotation will be as follows:

District Office Lease Sale Rotation – Two sales per district office per year with the following schedule:

February Sale	High Plains District Office (HPDO) and Wind River Big Horn Basin District Office(WRBHBDO)
May Sale	High Desert District Office (HDDO)
August Sale	HPDO and WRBHBDO
November Sale	HDDO

This rotation was established in an attempt to equalize the historic average number of parcels received by both the HPDO and WRBHBDO and the average number of parcels historically received by the HDDO. If needed, this rotation between the district offices can be changed to better fit the workload.

This implementation plan includes two proposed time schedules which include parcel review, NEPA and other associated time needs prior to the sale. One schedule shows a 14-week time frame while the other schedule shows a 18-week time frame. The 18-week schedule will be used for the first 4 sales. In the post-implementation evaluation we will determine if transitioning to the 14-week schedule is feasible. See Appendix B for the detailed 14-week time frame schedule and Appendix C for the detailed 18-week time schedule.

B. State Office Leasing Targets

When developing leasing performance targets/units of accomplishments for program element EI (Develop and Issue Federal Fluid Mineral Leases), Wyoming will take into account the process requirements identified in this IM and adjust the targets/units of accomplishments accordingly. Initially, the Wyoming leasing targets will show a decrease as we incorporate the various aspects of the leasing reform process, including nomination periods, reviews and posting into our leasing program.

C. Interdisciplinary Review of Lease Sale Parcels

Wyoming will use a 3-tier parcel review team structure consisting of the following teams:

1. District Interdisciplinary Parcel Review (DIDPR)Team;
2. State Interdisciplinary Parcel Review (SIDPR) Team; and
3. Wyoming Stipulation Committee (WSC).

District Interdisciplinary Parcel Review (DIDPR)Team

The DIDPR Team shall typically consist of the following:

- Resource Advisor for Energy, Lands and Minerals;
- Resource Advisor for Renewable Resources; and an

- Interdisciplinary group of specialists from each Field Office within the District. This group may include:
 - Natural Resource Specialist/Geologist/Physical Scientist;
 - Wildlife Biologist;
 - Archeologist;
 - NEPA Coordinator; and
 - GIS Specialist.

DIDPR membership will be finalized through coordination between the District Manager and Field Managers. The purpose of the DIDPR Team is to review lease parcels within each respective district and ensure compliance with NEPA. A core team of specialists within the DIDPR Team will be responsible for writing the EA and submission to the WSO. The DIDPR Team will invite State and/or other Federal agencies to coordinate on parcel review when lands, and/or resources that are administered by those agencies could be impacted by future development on the lease parcels under review. This coordination would meet the requirement as outlined in the BLM/Wyoming Game and Fish Department MOU, Appendix 5G. The parcel reviews will be conducted in a group setting to encourage group discussion and interaction.

The DIDPR Team will ensure that the following steps are performed for the review of parcels in each lease sale.

1. Gather and Assess Existing Information

The DIDPR Team will gather and evaluate existing environmental resource information and compliance documentation (e.g., NEPA analysis, Endangered Species Act (ESA) and National Historic Preservation Act (NHPA) resource data and consultation) upon which a leasing decision may be based. The Field Offices/District Offices will then determine the need for additional information and develop strategies to obtain any data that may be required to support the leasing decision.

2. Plan Conformance and Adequacy

The DIDPR Team will determine whether leasing the parcel is in conformance with the RMP. The Field Office/District Offices will also evaluate whether oil and gas management decisions identified in the RMP (including lease stipulations) are still appropriate and provide adequate protection of resource values. New or revised stipulations must be based on the best available information and science and will be reviewed by the Department of the Interior, Office of the Regional Solicitor and would require an RMP amendment if the RMP does not contain a current adequate stipulation.

3. Program-Specific Guidance

The DIDPR Team will review parcels in light of the most current national and local program-specific guidance to determine availability of parcels for leasing and/or applicable stipulations.

4. Other Considerations

The following is a list of further considerations for the DIDPR Team:

- Risk of unleased Federal mineral drainage as a result of nearby non-Federal parcel oil and gas development. The DIDPR Team may need to coordinate with the Wyoming Reservoir Management Group in this regard.
- In undeveloped areas, non-mineral resource values may be greater than potential mineral development values.
- Stipulation constraints may make access and/or development of the parcel infeasible.
- Parcel configurations would lead to unacceptable impacts to resources on the parcels.
- The topographic, soils, and hydrologic properties of the surface will not allow successful final landform restoration in conformance with the Gold Book.
- Construction and use of new access roads would have unacceptable impacts to important resource values.
- Leasing would result in unacceptable impacts to the resources of the National Park System or national wildlife refuge.
- Leasing would result in unacceptable impacts to specially designated areas and would be incompatible with the purpose of the designation.

5. Site Visits

Typically, site visits will be conducted in undeveloped areas to validate existing data or gather new information to make an informed leasing decision. The DIDPR Team will acquire site-specific cultural, wildlife, remote sensing (e.g., aerial photos, satellite imagery, and topographic maps), and other data. A high degree of confidence in site-specific data collected may negate the need for a site visit. The DIDPR Team will document whether the site visits occurred, or why not, and any findings as part of the administrative record. If site visits are conducted, photographic evidence will be collected and included in the administrative record.

6. Internal and External Coordination

In order to achieve greater coordination and communication in managing shared landscapes, the DIDPR Team will coordinate with and/or consult on the parcel review and NEPA analysis with stakeholders that may be affected by the BLM's leasing decisions. These stakeholders may include:

- Other Federal agencies (e.g., FS, NPS, FWS, BOR, DOD, etc.)
- Adjacent BLM States if lease nomination spans state boundaries.
- National Landscape Conservation System managers.
- Tribal governments.
- State and local agencies.
- Local community stakeholders.

7. Public Participation

Wyoming will provide for public participation as part of the review of parcels identified for potential leasing through the NEPA compliance documentation process. Interested parties/groups will be invited to comment during the NEPA compliance period.

Fee surface owners of nominated split estate parcels will be individually notified by mail and invited to participate in the public review process. See Appendix F for a sample notification letter.

State Interdisciplinary Parcel Review (SIDPR) Team

The SIDPR Team will consist of the following members:

- State Director and/or Associate State Director,
- Deputy State Director for Minerals and Lands (920),
- Deputy State Director for Resource Policy and Management (930),
- High Desert District Manager,
- High Plains District Manager, and
- Wind River Big Horn Basin District Manager.

Support participants may include:

- Resource Advisors for Energy, Lands and Minerals for each District,
- State Office Supervisory Mineral Leasing Specialist,
- State Office Branch Chief, Fluid Mineral Operations and Appraisal
- State Office Wildlife Biologist, and
- State Office Physical Scientist.

The SIDPR Team is the second tier of the three tier parcel review process in Wyoming. The purpose of the SIDPR Team is to review the District EA/parcel recommendations from the districts for each respective sale. This Team provides another opportunity to achieve stipulation consistency within the state. In addition, the SIDPR Team will discuss specific parcel issues and make final decisions concerning specific parcels being offered or not available for sale.

Wyoming Stipulation Committee

The WSC consists of the following members:

- Branch Chief, Fluid Minerals Operations and Appraisal,
- State Office Stipulation Committee which includes
 - State Wildlife Biologist and
 - State Physical Scientist), and the
 - State Office Leasing Team.

The WSC is the third tier of the three tier parcel review process in Wyoming. The WSC will review our Wyoming stipulations for consistency between Field Offices/Districts and consistency with the WO-approved format. The WSC will also coordinate with the State Office of the Wyoming Game and Fish Department before finalizing a sale list. In addition, the WSC is reviewing stipulations for consistency in current RMP revisions prior to the Draft EISs becoming available.

D. ESA, NHPA, and Tribal Consultation Compliance Documentation

Wyoming will meet the ESA, NHPA, and General Procedural Guidance for Native American Consultation requirements for lease issuance, and will attach, at a minimum, the standard ESA and NHPA lease stipulations to any lease that is offered.

E. NEPA Compliance Documentation

Each DIDPR Team will complete NEPA compliance documentation for all BLM lease sale parcels in their respective district(s) for their respective lease sales. This analysis will typically take the form of an EA, which will be tiered, as appropriate, to the RMP/EIS. The EA will include analysis for all the parcels in each District's respective lease sale. The EA will incorporate appropriate information gained through the lease parcel review process. The EA will be in compliance with the NEPA handbook H1790-1. See Appendix D. Each EA will be structured with the following range of alternatives:

- Alternative I - No Leasing Alternative
- Alternative II - Lease with Appropriate Deferrals and Deletions Alternative (reflection of Recommendation Memo).
- Alternative III - Lease All Nominated Parcels Alternative

This EA process will include a 30-day public review and comment period. After consideration of any public comments received on the document, the Districts will amend the EA, if needed, and send the EA, unsigned Finding of No Significant Impact (FONSI) and unsigned Decision Record (DR) to the Wyoming State Director.

The State Office, District Offices and individual Field Offices will work together to develop email lists of interested and affected parties. Notification of EA availability will be made through press releases (newspaper and radio), email notifications and notices on BLM web pages. A limited number of hard copy documents will be maintained in each Field Office for public review.

F. Leasing Recommendation

Each District will forward the finalized EA and unsigned FONSI and DR and a recommendation for each parcel reviewed to the State Director. The District's recommendations may include:

- Offering a lease parcel with standard stipulations only.
- Offering a lease parcel with existing revised, and/or new stipulations.
- Offering a lease parcel with modification of parcel boundaries.
- Deferring a lease parcel from leasing, in whole or in part, pending further evaluation of specified issues.
- Withholding a lease parcel from offering in an area that is already closed in the existing RMP along with the appropriate justification.
- Withholding a lease parcel from offering, in whole or in part along with the appropriate justification.
- Withholding a lease parcel from offering, in whole or in part, and initiating a plan amendment to close the area to future leasing along with the appropriate justification.

G. Public Notification of Lease Sale

Wyoming will post the EA on the Wyoming website and make it available in the public room. In addition, Wyoming will post the final sale notice on the Wyoming website at least 90 days prior to the sale date. We will notify the split estate owners if their respective parcels made the final sale list on the same day that the final list is posted. See Appendix E for sample landowner notification letter.

H. Lease Sale Parcel Protests

A 30-day protest period will begin the day the sale notice is posted. When possible, Wyoming will attempt to resolve protests before the sale of the protested parcels, however, protests that are not resolved will not prevent bidding on protested parcels at the sale.

I. Lease Issuance

As a result of the need for a separation of duties in this leasing reform process, the following steps and responsibilities will be followed:

1. State Director will sign a decision record (or record of decision for an EIS) supporting issuance of the leases that provides a rationale for the leasing decision that takes the NEPA analysis into account.
2. Deputy State Director, Minerals and Lands will sign decisions resolving all protests concerning the parcels.
3. The Chief, Branch of Fluid Minerals Adjudication will issue/sign the leases.

Wyoming will post the NEPA compliance decision documents and protest decisions on the Wyoming website and make the documentation available in the public room.

Other Issues

A. Steps, Criteria, and Timeframes to Address the Backlog of Deferred Parcels

1. Parcel Deferral Steps, Criteria and Timeframes

a. Pre-sale Deferral - Preliminary List Review Deferral

The State Office notifies the nominator of the deferral and the reason for the deferral (i.e. RMP revision, DEIS issued, sage grouse screen, etc.). The Expression of Interest (EOI) is filed on a deferral shelf and input into the Deferral Parcel Chart as a tracking mechanism pending future processing. The State Office maintains the deferral chart which includes the parcel information, dates, reason for deferral and field office. When the condition for the deferral is no longer applicable (i.e. RMP revision is complete) the State Office will place the parcel on the next available sale. If the parcel has been deferred for 5 years or more, the WSO will first contact the nominator to see if there is still interest in the parcel.

b. Post-sale Deferral – Lease Sale Protest Response Deferral

The State Office will track these parcels and when the condition for deferral is no longer valid (e.g., RMP amendment is complete for sage grouse) the State Office will continue processing the parcel for lease issuance, additional stipulations, or rejection. If the parcel has been deferred for 5 years or more, the WSO will first contact the nominator to see if there is still interest in the parcel.

2. Addressing the Backlog of Deferred Parcels

The State Office has prepared a letter to send to the nominator of each deferred parcel currently on the backlog list with their EOI attached asking if there is still interest in the land. If so, the

nominator will need to contact the State Office in writing or by fax and provide additional information (split estate owner name and address). Contacting the nominator before processing the backlogged EOI will prevent unnecessary work where there is no longer an interest. There is no time restriction on these parcels. If the State Office does not receive notification of continued interest in the EOI, the parcel will not be processed any further.

When the State Office receives written notification from the nominator to continue processing the EOI, the nominated parcel will be added to the next available preliminary list for review and processing. If the District Office determines that leasing would not be in conformance with the respective Field Office RMPs, the parcel would be recommended for deletion, rather than deferral.

B. ePlanning

After one complete series of sales (four lease sales) under the new leasing reform procedure, Wyoming BLM will develop a strategy to move the leasing reform process under ePlanning, if individual Districts have not already done so.

IV. Implementation Plan and Report

This document serves as the implementation plan and associated timeline for accomplishing the tasks outlined in the IM. See Table 1.

The implementation plan includes:

- A process for ensuring that lease stipulations are written in a WO-approved format, are consistent within the state for protection of similar resources or resource settings, and edge-match appropriately across BLM administrative boundaries.
- A process for identifying areas currently meeting the criteria for initiation of the MLP process.
- MLPs or similar focused planning efforts that have been initiated or may be appropriate to initiate in the near term and any plans for initiating MLPs.
- The formation of DIDPR Teams in each district that has a lease parcel review workload.
- A rotational parcel review schedule.
- Steps, Criteria, and timeframes to address the backlog of deferred parcels.

Wyoming understands that a post-implementation report will be provided to the WO before May 18, 2011.

Table 1
Lease Reform Timeframe Table

Process Step	Leasing Reform Policy Process	Timeframe
Nomination Period for Expressions of Interest (EOI)	WSO establishes a cutoff date for incorporating EOIs into sale packages.	13 weeks (approx.)
	WSO reviews EOIs	
Prepare Preliminary List	WSO sends preliminary parcel lists to DIDPR Teams	3 weeks
Leasing Reform Process		
District Interdisciplinary Parcel Review (DIDPR Team) Parcel Review and NEPA Compliance	DIDPR Team initiates parcel review process: Gather Existing Information Review for Resource Management Plan (RMP) conformance and adequacy Review for program-specific guidance requirements Identify other considerations – including need for MLP Perform Sage-grouse and wilderness screens Conduct parcel site visits with appropriate DIDPR team members Ensure internal and external coordination Ensure public participation Identify/address consultation needs Write Environmental Assessment (EA)	12 weeks
	EA 30-day public comment period *Plan amendments and EISs will have additional requirements	4 weeks
	Update the EA and unsigned FONSI based on public comments. District Offices send the EAs, unsigned FONSI, DR and parcel recommendations to the SO. The State Director may require the district and /or field manager's signature along with his/her recommendations through methods such as a transmittal memorandum, email, or separate "Recommended by:" signature page that accompanies the FONSI and Decision Record.	2 weeks
State Consolidation	WSO Compiles District submissions	1week
State Interdisciplinary Parcel Review Team (SIDPR Team) Review	WSO Meetings: Week 1 – State Office Re-screen Week 2 – SIDPR Meeting Week 3 – WGFD Meeting Week 4 – State Stipulation Committee Meeting	4 weeks
State Sale Preparation	Finalize Sale Notice Prepare Split Estate Surface Owner Letters	2 weeks
Post Notice	WSO posts the Sale Notice in the WSO Public room and on the WSO website at least 90 days prior to the lease sale date with a link to the EA and unsigned FONSI.	13 weeks (approx.)

Process Step	Leasing Reform Policy Process	Timeframe
	30-day protest period begins.	
	60-day protest review period begins after the protest period ends.	
	A 30-day Interior Board of Land Appeals appeal period begins for the protestant upon denial of their protest.	
	<p>Note: When possible, state offices should attempt to resolve protests before the sale of the protested parcels and publish the decisions on the WSO website.</p> <p>As appropriate, update the EA and unsigned FONSI taking into account the protests(s) or protest resolution.</p> <p>If all of the protests have been resolved prior to the lease sale, the authorized officer at the SO may sign the FONSI and then the Decision Record prior to holding the lease sale.</p>	
Lease Sale	Conduct Lease Sale	1 day
Lease Issuance	<p>The following steps will be followed:</p> <ol style="list-style-type: none"> 1. State Director will sign a decision record (or record of decision for an EIS) supporting issuance of the leases that provides a rationale for the leasing decision that takes the NEPA analysis into account. 2. Deputy State Director, Minerals and Lands will sign decisions resolving all protests concerning the parcels. 3. The Chief, Branch of Fluid Minerals Adjudication will issue/sign the leases. <p>WSO will post the updated and signed documents on the WSO website and in the WSO public room.</p> <p>Note: Leases shall be issued in a timely manner (60 days or less) following payment by the successful bidder of the remainder of the bonus bid (bonus bid to be remitted within 10 working days after the sale). A decision not to lease should be issued within the same timeframe.</p>	
	A 30-day Interior Board of Land Appeals appeal period begins for the protestant upon denial of their protest.	
	A 30-day Interior Board of Land Appeals appeal period begins upon issuance, or a decision not to issue, the lease(s).	
	<p>Note: To bring an appeal to IBLA, the appellant must have taken part in the process, either by making a comment or filing a protest. Otherwise the appellant does not have standing to bring an administrative appeal.</p>	

Appendix A

Oil and Gas Leasing Reform Process Summary

Required Tasks for Offering a Parcel for Competitive Lease Sale:

1. Expressions of Interest (EOIs) are received at the WSO and verified for land status/ownership. There is a nomination period for each sale. The nomination and sale schedule for 2011 is listed below:

SALE DATE	NOMINATION PERIOD
Tuesday, February 1, 2011	06/1/2010 - 07/2/2010
Tuesday, May 3, 2011	07/05/2010 - 07/30/2010
Tuesday, August 2, 2011	08/02/2010 - 09/17/2010
Tuesday, November 1, 2011	09/20/2010 - 11/19/2010

2. WSO prepares the preliminary list with correlated mapping (shapefiles and plat drafting). Distribution includes Surface Management Agencies (SMA), Wyoming Game and Fish (WGFD), and District Offices. The surface owner information that is required on the EOIs will be provided to the District Offices with the preliminary list for use in their public outreach process.
3. Parcel review and NEPA compliance will be conducted at the District Office level, by the DIDPR Team comprised of District Resource Advisors and key personnel from each Field Office and presented to the State Office for final approval and signatures. This plan includes two timeline schedules for parcel review and NEPA compliance, a 14-week schedule with dates is listed in Appendix B and an 18-week schedule with dates is listed in Appendix C. The 18-week schedule will be used for the first 4 sales. In the post-implementation evaluation it will be determined if going to a 14-week schedule is feasible. These tasks include:
 - Run the Sage-grouse and wilderness screens
 - Coordinate with Wyoming Game and Fish (WGFD) in accordance with MOU and SMAs to ensure that stipulations are adequately applied
 - Consider MLP criteria
 - Notify the split estate surface owners of comment period
 - Notify the mailing list publics of opportunity to comment
 - Conduct site visits as necessary
 - Prepare and submit worksheets (Form-1) to the WSO for Sage-grouse and wilderness screens, recommendation memo, and apply appropriate stipulations for each parcel
 - Prepare EA and unsigned FONSI

- Opportunity to brief the WSO on each District EA and recommendation memo prior to the opening of the public comment period
 - Publish EA and unsigned FONSI with a 30-day public comment period
 - Respond to comments, incorporate into EA, and make changes if necessary
4. WSO consolidates recommendations and NEPA documents from the District Offices or Surface Management Agencies (BOR, FS) and prepare for Stipulation Committee review. These tasks include:
- Review all District EAs and unsigned FONSI's
 - WSC will review the DIDPR Team recommendations and ensures that:
 - stipulations are in compliance with RMPs
 - standard stipulation format was followed
 - parcels are properly stippled with the appropriate , NSO, CSU and TLS
 - sage-grouse screen performed from GIS data available in the State Office
 - wilderness screen performed
 - Conducts meeting with SIDPR Team to discuss the District Office recommendations.
 - Conducts meeting with the Cheyenne office of the Wyoming Game and Fish Department (WGFD) to discuss any concerns.
 - Stipulation Committee prepares "Delete" memo for the Deputy State Director (DSD) of Minerals signature. This memo identifies what parcels are modified, deferred or deleted and the reasons why. (This memo must be signed before the final sale list is prepared).
5. WSO prepares Final Sale Notice. This preparation includes:
- Proof final parcel list
 - make corrections and deletions based on information from FOs
 - proof land descriptions
 - number parcels
 - print sale notice, which includes "rules of the sale"
 - send signed final list to printer
 - send electronic copy of the sale notice to the web team for posting
 - Prepare letters to all split estate surface owners to notify them that their land is being included in a sale notice.
 - Prepare briefing paper (Wenker memo) for the sale
 - Mail Sale Notice to the mailing list and the Surface Management Agencies
6. WSO posts competitive sale notice 90 days prior to sale. This action includes the following considerations:
- Protests are due into the State Office 60 days prior to sale
 - Post received protests online
 - Analysis and resolution of protests (60 days prior to sale)
 - Prepare briefing papers
 - Brief the State Director
 - Coordinate with the Governor's Office (one week prior to sale)
 - Prepare Information Notices to the public regarding parcel changes, "sale rule" changes, or deferrals

7. Hold lease sale auction

8. Post sale tasks include:

- Prepare statistics for WO
- Prepare and mail Results List (post on the web)
- Update EA and FONSI for State Director's signature (within 60 days of sale if protests resolved)
- Prepare Decision Record
- Resolve Protests (if not completed before the sale). Response is signed by DSD
- Prepare additional decisions that have resulted from protests (deferral, rejection, etc.) signed by Chief, Fluid Minerals Adjudication
- Prepare and issue leases-if protest is resolved. The leases are signed by Chief, Fluid Minerals Adjudication

9. 30-day appeal period begins upon lease issuance

Appendix B

14-week Detailed Leasing Reform Process

FEBRUARY 1, 2011 SALE

GREEN DATES ARE DROP DEAD DATES AND CAN NOT BE CHANGED

Begin Nominations: 6/1/2010

Cutoff: 6/30/2010 (4.5 weeks)

4 Weeks	Adjudicate EOIs –check land status, determine eligibility of nominations, and prepare DI-10's Type Preliminary List Note Plats Transmit preliminary list to Field Offices Send preliminary list to Wyoming Game and Fish and other SMAs
4 Weeks	Field Offices prepare NEPA documents (DNAs, EAs, or EISs)
4 Weeks	Print and combine Field Office files Review and meetings with District Managers, Stipulation Committee and Wyoming Game and Fish Department
3 Weeks	Finalize Notice: Make corrections, deletions & renumber Final proofing Print front pages, standard & SMA stipulations Prepare Split Estate Surface Owner Notification Letters Send Notice to printer and submit to web team Prepare pre-leasing briefing paper for WO
11/3/10 (Wed)	POST NOTICE (90 days before sale) Mail Notice to other SMAs Mail Notification Letters to Split Estate Surface Owners
11/2/10	NOVEMBER SALE
11/18/10	Mid-Point Briefing Paper to OEA
12/3/10	Protests must be received by 4:00 p.m. (60 calendar days prior to sale date)
12/9/10	Post Protest Briefing Paper to OEA
February 1, 2011	SALE

MAY 3, 2011 SALE

GREEN DATES ARE DROP DEAD DATES AND CAN NOT BE CHANGED

Begin Nominations: 07/01/2010

Cutoff: 07/30/2010 (4.5 weeks)

- 4 Weeks Adjudicate EOIs –check land status, determine eligibility of nominations, and
 prepare DI-10's
 Type Preliminary List
 Note Plats
 Transmit preliminary list to Field Offices
 Send preliminary list to Wyoming Game and Fish and other SMAs
- 14 Weeks Field Offices prepare NEPA documents (DNAs, EAs, or EISs)
 Interdisciplinary parcel review team
 Notify surface owners
 Site Visits
 Conduct various screens and reviews for sage-grouse, wilderness characteristics,
 wild lands, etc.
 Each parcel will be evaluated to determine if they meet the MLP criteria
 Coordination with Wyoming Game and Fish Department and SMAs
 Document will be posted on the internet for a 30-day public comment period
 Comments will be incorporated in document and submitted with unsigned
 FONSI to the State Office for posting with sale notice
- 4 Weeks Print and combine Field Office files
 Review and meetings with District Managers, Stipulation Committee and Wyoming
 Game and Fish Department
- 3 Weeks Finalize Notice:
 Make corrections, deletions & renumber
 Final proofing
 Print front pages, standard & SMA stipulations
 Prepare Split Estate Surface Owner Notification Letters
 Send Notice to printer and submit to web team
 Prepare pre-leasing briefing paper for WO

2/1/11 FEBRUARY SALE

2/2/11 (Wed) POST NOTICE (90 days before sale)

Mail Notice to other SMA's

Mail Notification Letters to Split Estate Surface Owners

3/4/11 Protests must be received by 4:00 p.m. (60 calendar days prior to the date of the sale)

May 3, 2011 SALE

AUGUST 2, 2011 SALE

GREEN DATES ARE DROP DEAD DATES AND CAN NOT BE CHANGED

Begin Nominations: 08/02/10

Cutoff: 10/29/10 (13 weeks)**

4 Weeks	Adjudicate EOIs –check land status, determine eligibility of nominations, and prepare DI-10's Type Preliminary List Note Plats Transmit preliminary list to Field Offices Send preliminary list to Wyoming Game and Fish and other SMAs
14 Weeks	Field Offices prepare NEPA documents (DNAs, EAs, or EISs) Interdisciplinary parcel review team Notify surface owners Site Visits Conduct various screens and reviews for sage-grouse, wilderness characteristics, wild lands, etc. Each parcel will be evaluated to determine if they meet the MLP criteria Coordination with Wyoming Game and Fish Department and SMAs Document will be posted on the internet for a 30-day public comment period Comments will be incorporated in document and submitted with unsigned FONSI to the State Office for posting with sale notice
4 Weeks	Print and combine Field Office files Review and meetings with District Managers, Stipulation Committee and Wyoming Game and Fish Department
3 Weeks	Finalize Notice: Make corrections, deletions & renumber Final proofing Print front pages, standard & SMA stipulations Prepare Split Estate Surface Owner Notification Letters Send Notice to printer and submit to web team Prepare pre-leasing briefing paper for WO

5/3/11 MAY SALE

5/4/11 (Wed) POST NOTICE (90 days before sale)
Mail Notice to other SMA's
Mail Notification Letters to Split Estate Surface Owners

6/3/11 Protests must be received by 4:00 p.m. (60 calendar days prior to the date of the sale)

August 2, 2011 SALE

November 1, 2011 SALE

GREEN DATES ARE DROP DEAD DATES AND CAN NOT BE CHANGED

Begin Nominations: 11/1/2010

Cutoff: 2/4/2011 (14 weeks)**

4 Weeks	Adjudicate EOIs –check land status, determine eligibility of nominations, and prepare DI-10's Type Preliminary List Note Plats Transmit preliminary list to Field Offices Send preliminary list to Wyoming Game and Fish and other SMAs
14 Weeks	Field Offices prepare NEPA documents (DNAs, EAs, or EISs) Interdisciplinary parcel review team Notify surface owners Site Visits Conduct various screens and reviews for sage-grouse, wilderness characteristics, wild lands, etc. Each parcel will be evaluated to determine if they meet the MLP criteria Coordination with Wyoming Game and Fish Department and SMAs Document will be posted on the internet for a 30-day public comment period Comments will be incorporated in document and submitted with unsigned FONSI to the State Office for posting with sale notice
4 Weeks	Print and combine Field Office files Review and meetings with District Managers, Stipulation Committee and Wyoming Game and Fish Department
3 Weeks	Finalize Notice: Make corrections, deletions & renumber Final proofing Print front pages, standard & SMA stipulations Prepare Split Estate Surface Owner Notification Letters Send Notice to printer and submit to web team Prepare pre-leasing briefing paper for WO
8/2/11	AUGUST SALE
8/3/11 (Wed)	POST NOTICE (90 days before sale) Mail Notice to other SMAs Mail Notification Letters to Split Estate Surface Owners
9/2/11	Protests must be received by 4:00 p.m. (60 calendar days prior to the date of the sale)
November 1, 2011	SALE

Appendix C

18-week Detailed Leasing Reform Process

FEBRUARY 1, 2011 SALE

Begin Nominations: 6/1/2010

Cutoff: 6/30/2010 (4.5 weeks)

4 Weeks	Adjudicate EOIs –check land status, determine eligibility of nominations, and prepare DI-10's Type Preliminary List Note Plats Transmit preliminary list to Field Offices Send preliminary list to Wyoming Game and Fish and other SMAs
4 Weeks	Field Offices prepare NEPA documents (DNAs, EAs, or EISs)
4 Weeks	Print and combine Field Office files Review and meetings with District Managers, Stipulation Committee and Wyoming Game and Fish Department
3 Weeks	Finalize Notice: Make corrections, deletions & renumber Final proofing Print front pages, standard & SMA stipulations Prepare Split Estate Surface Owner Notification Letters Send Notice to printer and submit to web team Prepare pre-leasing briefing paper for WO
11/3/10 (Wed)	POST NOTICE (90 days before sale) Mail Notice to other SMAs Mail Notification Letters to Split Estate Surface Owners
11/2/10	NOVEMBER SALE
11/18/10	Mid-Point Briefing Paper to OEA
12/3/10	Protests must be received by 4:00 p.m. (60 calendar days prior to sale date)
12/9/10	Post Protest Briefing Paper to OEA
February 1, 2011	SALE

MAY 3, 2011 SALE

GREEN DATES ARE DROP DEAD DATES AND CAN NOT BE CHANGED

Begin Nominations: 07/01/2010

Cutoff: 07/9/2010 (8 days)

4 Weeks	Adjudicate EOIs –check land status, determine eligibility of nominations, and prepare DI-10's Type Preliminary List Note Plats Transmit preliminary list to Field Offices Send preliminary list to Wyoming Game and Fish and other SMAs
18 Weeks	Field Offices prepare NEPA documents (DNAs, EAs, or EISs) Interdisciplinary parcel review team Notify surface owners Site Visits Conduct various screens and reviews for sage-grouse, wilderness characteristics, wild lands, etc. Each parcel will be evaluated to determine if they meet the MLP criteria Coordination with Wyoming Game and Fish Department and SMAs Document will be posted on the internet for a 30-day public comment period Comments will be incorporated in document and submitted with unsigned FONSI to the State Office for posting with sale notice
4 Weeks	Print and combine Field Office files Review and meetings with District Managers, Stipulation Committee and Wyoming Game and Fish Department
3 Weeks	Finalize Notice: Make corrections, deletions & renumber Final proofing Print front pages, standard & SMA stipulations Prepare Split Estate Surface Owner Notification Letters Send Notice to printer and submit to web team Prepare pre-leasing briefing paper for WO

2/1/11 FEBRUARY SALE

2/2/11 (Wed) POST NOTICE (90 days before sale)

Mail Notice to other SMA's

Mail Notification Letters to Split Estate Surface Owners

3/4/11 Protests must be received by 4:00 p.m. (60 calendar days prior to the date of the sale)

May 3, 2011 SALE

AUGUST 2, 2011 SALE

GREEN DATES ARE DROP DEAD DATES AND CAN NOT BE CHANGED

Begin Nominations: 07/12/10

Cutoff: 10/1/2010** (9 weeks)

4 Weeks	Adjudicate EOIs –check land status, determine eligibility of nominations, and prepare DI-10's Type Preliminary List Note Plats Transmit preliminary list to Field Offices Send preliminary list to Wyoming Game and Fish and other SMAs
18 Weeks	Field Offices prepare NEPA documents (DNAs, EAs, or EISs) Interdisciplinary parcel review team Notify surface owners Site Visits Conduct various screens and reviews for sage-grouse, wilderness characteristics, wild lands, etc. Each parcel will be evaluated to determine if they meet the MLP criteria Coordination with Wyoming Game and Fish Department and SMAs Document will be posted on the internet for a 30-day public comment period Comments will be incorporated in document and submitted with unsigned FONSI to the State Office for posting with sale notice
4 Weeks	Print and combine Field Office files Review and meetings with District Managers, Stipulation Committee and Wyoming Game and Fish Department
3 Weeks	Finalize Notice: Make corrections, deletions & renumber Final proofing Print front pages, standard & SMA stipulations Prepare Split Estate Surface Owner Notification Letters Send Notice to printer and submit to web team Prepare pre-leasing briefing paper for WO

5/3/11 **MAY SALE**

5/4/11 (Wed) **POST NOTICE** (90 days before sale)
Mail Notice to other SMA's
Mail Notification Letters to Split Estate Surface Owners

6/3/11 **Protests must be received by 4:00 p.m.** (60 calendar days prior to the date of the sale)

August 2, 2011 **SALE**

November 1, 2011 SALE

GREEN DATES ARE DROP DEAD DATES AND CAN NOT BE CHANGED

Begin Nominations: 10/4/2010

Cutoff: 1/7/2011 (11 weeks)**

4 Weeks	Adjudicate EOIs –check land status, determine eligibility of nominations, and prepare DI-10's Type Preliminary List Note Plats Transmit preliminary list to Field Offices Send preliminary list to Wyoming Game and Fish and other SMAs
18 Weeks	Field Offices prepare NEPA documents (DNAs, EAs, or EISs) Interdisciplinary parcel review team Notify surface owners Site Visits Conduct various screens and reviews for sage-grouse, wilderness characteristics, wild lands, etc. Each parcel will be evaluated to determine if they meet the MLP criteria Coordination with Wyoming Game and Fish Department and SMAs Document will be posted on the internet for a 30-day public comment period Comments will be incorporated in document and submitted with unsigned FONSI to the State Office for posting with sale notice
4 Weeks	Print and combine Field Office files Review and meetings with District Managers, Stipulation Committee and Wyoming Game and Fish Department
3 Weeks	Finalize Notice: Make corrections, deletions & renumber Final proofing Print front pages, standard & SMA stipulations Prepare Split Estate Surface Owner Notification Letters Send Notice to printer and submit to web team Prepare pre-leasing briefing paper for WO
8/2/2011	August Sale
8/3/11 (Wed)	POST NOTICE (90 days before sale) Mail Notice to other SMA's Mail Notification Letters to Split Estate Surface Owners
9/2/11	Protests must be received by 4:00 p.m. (60 calendar days prior to the date of the sale)
November 1, 2011	SALE

Appendix D

Lease Parcel Review NEPA Tracking Log & Oil and Gas Leasing EA Template

LEASE PARCEL REVIEW AND NEPA TRACKING LOG

This is not a decision document. It is a tracking mechanism for the transfer of the administrative record and to show completion of key process milestones from one delegation to another. This signature page represents the process of analyzing the effects of nominated parcels through expressions of interests by private individuals and industry to lease issuance per Competitive Oil and Gas lease Sales.

District Manager's Certification: The [NAME] District conducted a detailed review of all nominated parcels for the [SALE] competitive Oil and Gas Lease Sale. A full range of alternatives, associated effects, and public input, were considered and described in the Leasing Recommendation Environmental Assessment (WY-XXX-EA11_XXX) and associated FONSI. Following a 30 day public comment period (from / to dates) the EA and FONSI were updated as appropriate. The EA, FONSI and associated administrative record are attached to this tracking log.

Date Signed: _____

[NAME], District Manger

[NAME] District Office

Deputy State Director's Certification: The Wyoming State Office completed a review of the Leasing Recommendation Environmental Assessment (WY-XXX-EA11_XXX) and associated FONSI, parcel sale recommendations and stipulation consistency prior to posting the Sale Notice. The EA and FONSI were updated as appropriate to address protests / protest resolutions. This updated Lease Sale Notification Environmental Assessment and associated FONSI are posted on the web (insert url). The EA, FONSI and associated administrative record are attached to this tracking log.

_____ Date Signed: _____

Deputy State Director of Minerals

Wyoming State Office

State Director Certification: All protests associated with the Leasing Recommendation Environmental Assessment (WY-XXX-EA11_XXX) which were not resolved prior to sale have been addressed in a signed decision and posted to the web (insert url). The associated Lease Issuance FONSI and Decision Record have been signed and posted to the web prior to lease issuance.

_____ Date Signed: _____

State Director

Wyoming

Environmental Assessment

for

(Project Name)

Prepared by

(Name and Title)

Bureau of Land Management

[] District Office

[], Wyoming

DOI-BLM-WY-PXXX-2011-XXX-EA



1.0 INTRODUCTION (Chapter 8.3.1, pg. 77 of H-1790-1 NEPA Handbook 1/30/2008).

Needs to include:

Title, EA Number, type of project, general location of proposal, name and location of preparing office, lease, serial, or case file number and applicant name (where applicable).

1.1 Background

Supplemental information that is not included in the introduction which may provide context for the purpose and need statement.

1.2 Purpose and Need for the Proposed Action (Chapter 8.3.2, pg.77 & Ch. 6.2.2, pg. 36)

Purpose Statement should be short and concise and should identify the goals and objectives that we (the agency) want to achieve with the proposed action; where do we want to go; what is the desired future outcome.

Need Statement should be short and concise and should identify what is currently causing the agency to propose the action; where we are now; what is the current situation.

“Decision to be Made: The BLM will decide whether or not to grant the right of way, and if so, under what terms and conditions.” Or The BLM will decide whether or not to issue a grazing permit with modification from the current permit. Or The BLM will revise the LUP and identify areas available for oil and gas leasing, leasing stipulations, and mitigation measures to consider in reviewing applications for permits to drill.

1.3 Relationship to Statutes, Regulations, Plans or Other Environmental Analyses (Chapter 8.3.4.3, pg.81)

List all relevant statutes, etc and Conformance to Land Use Plan here.

1.4 Scoping, Public Involvement and Issues (Chapter 8.3.3, pg.78 & Ch. 6.3, pg. 38)

“When evaluating the need for scoping, consider factors such as size or scale of the proposed action; whether the proposal is routine or unique; who might be interested or affected; and whether or not external scoping has been conducted for similar projects and what the results have been. It is up to the decision-maker to determine the need for and level of scoping to be conducted....We recommend that you document in the EA your rationale for determining whether or not to conduct external scoping.”

Scoping description (Chapter 8.3.3, pg.78 & Ch. 6.3, pg. 38)

Issues (Chapter 8.3.3, pg.78 & Ch. 6.4.1, pg. 41)

2.0 PROPOSED ACTION AND ALTERNATIVES (Chapter 8.3.4, pg. 78 & Ch. 6.5, pg. 43)

2.1 Alternative I – No Action Alternative – No Leasing Alternative

The No Action Alternative is not to take the action, reject the proposal or deny the application. “At a minimum, the EA must include documentation of the current and future state of the environment in the absence of the proposed action.” (H-1790-1 NEPA Handbook 1/30/2008).

2.2 Alternative II – Proposed Action - Lease with Appropriate Deferrals and Deletions Alternative (reflection of Recommendation Memo). (Chapter 8.3.4.1, pg. 78 & Ch. 6.5.1, pg. 43)

Be as descriptive as possible in the proposed action. Should be able to answer who, what, how, when, and where. May include operator proposed (mitigation) called design features. (Ch. 6.5.1.1, pg. 44)

Alternative III – Lease All Nominated Parcels Alternative (Chapter 8.3.4.2, pg. 79)

Other Action Alternatives (Chapter 8.3.4.2, pg. 79)

2.5 Alternatives Considered but not Analyzed in Detail (Chapter 8.3.4.2.1, pg. 80)

3.0 AFFECTED ENVIRONMENT (Chapter 8.3.5, pg. 81 & Ch.6.7.1, pg. 53)

3.1 Introduction

Describe the location, surroundings, and existing uses. Paint the picture or scene. It should be brief, detailed analysis will go below in a specified section. “Limit the description of the affected environment to that information relevant to understanding the effect(s) of the proposed action or alternative.”

The following are not present and will not be further analyzed:

No longer using the chart format. Just list anything that is not applicable. Everything else will need representation below with a number and heading. (3.2, 3.3, 3.4, etc.)

- Air Quality
- Areas of Critical Environmental Concern (ACEC)
- Cultural Resources
- Environmental Justice
- Prime or Unique Farmlands
- Flood Plains
- Hazardous or Solid Wastes
- Invasive, Non Native Species
- Livestock Grazing
- Mineral Resources
- Native American Religious Concerns
- Noxious Weeds

Paleontology
Recreation
Soils
Special Status Species
Threatened and Endangered Species
Traditional Cultural Properties
Vegetation
Visual Resource Management
Water Quality and Prime or Sole Source of Drinking Water
Wetlands and Riparian Zones
Wild and Scenic Rivers
Wilderness / Wilderness Study Areas
Wildlife

Resource Heading

List the elements of the affected environment (because of the proposed action - not all environments that exist) and related to issues identified through scoping, if applicable.

Greenhouse Gas Emissions

Wilderness Characteristics

Socioeconomics

Public Health and Safety

4.0 ENVIRONMENTAL EFFECTS (Chapter 8.3.6, pg. 81 & Ch. 6.8.1.2, pg. 55)

“Discussion of impacts may either be organized by alternative with impact topics as subheadings or by impact topic with alternatives subheadings. Generally, if impacts to a particular resource for one alternative are the same as another alternative, make reference to that section in the EA rather than repeating the information.”

Whatever topic or resource that is specifically identified in Section (Chapter) 3 will need to be represented in Section (Chapter) 4 under Direct and Indirect Effects in the same order.

4.1 Direct and Indirect Effects (Chapter 6.8.2, pg. 56, Ch. 8.3.6, pg. 81)

4.1.1 Greenhouse Gas Emissions

Alternative I – No Action Alternative - No Leasing Alternative

Alternative II – Proposed Action - Lease with Appropriate Deferrals and Deletions Alternative

Alternative III – Lease All Nominated Parcels Alternative

4.1.2 Wilderness Characteristics

Alternative I – No Action Alternative - No Leasing Alternative

Alternative II – Proposed Action - Lease with Appropriate Deferrals and Deletions Alternative

Alternative III – Lease All Nominated Parcels Alternative

4.1.3 Socioeconomics

Alternative I – No Action Alternative - No Leasing Alternative

Alternative II – Proposed Action - Lease with Appropriate Deferrals and Deletions Alternative

Alternative III – Lease All Nominated Parcels Alternative

4.1.4 Public Health and Safety

Alternative I – No Action Alternative - No Leasing Alternative

Alternative II – Proposed Action - Lease with Appropriate Deferrals and Deletions Alternative

Alternative III – Lease All Nominated Parcels Alternative

4.2 Cumulative Effects (Chapter 6.8.3, pg.57 & Ch. 6.8.3.5, pg. 59)

4.3 Mitigation Measures Considered (Chapter 6.8.4, pg. 61)

“The EA must also identify and analyze mitigation measures, if any, which may be taken to avoid or reduce potentially significant effects. You must describe and analyze the anticipated effectiveness of mitigation measures and any direct, indirect, and cumulative effects that remain after the application of all mitigation measures – that is, residual effects. Although described and analyzed in the body of the EA, the mitigation measures that will be implemented are explicitly adopted in the decision record.”

“Measures or practices should only be termed mitigation measures if they have not been incorporated into the proposed action or alternatives. If mitigation measures are incorporated into the proposed action or alternatives, they are called design features, not mitigation measures. You must describe the

mitigation measures that you are adopting in your decision documentation. Monitoring is required to ensure the implementation of these measures.”

4.4 Residual Effects (Chapter 6.8.4, pg. 61)

5.0 TRIBES, INDIVIDUALS, ORGANIZATIONS, or AGENCIES CONSULTED

(Chapter 8.3.7, pg. 82)

“The EA must list tribes, individuals, organizations, and agencies consulted (40 CFR 1508.9(b)).”

6.0 LIST OF PREPARERS (Chapter 8.3.8, pg.82)

6.1 List of Reviewers

7.0 REFERENCES

Appendix E

Sample WSO Landowner Notification Letter

Dear Surface Owner:

It is our understanding that you are the surface owner of all or a portion of the land included in parcel WY-1000-000 (copy attached) in our competitive oil and gas lease sale scheduled for Tuesday, May 11, 2010. This parcel is being offered in response to an Expression of Interest received by the Bureau of Land Management (BLM). The lease sale notice describes any special stipulations that would be attached to the lease should the parcel be sold at auction. You can find a complete copy of the lease sale notice online at http://www.blm.gov/wy/st/en/programs/energy/Oil_and_Gas/Leasing.html. BLM will post the sale results on the website including the name of the successful bidders. The website also has information on oil and gas leasing, regulations, and Best Management Practices that you may find helpful.

If a lease is issued, the lessee will have the right to explore for and develop the federally owned oil and gas, which could result in surface disturbing activities on your land. These activities are highly regulated by the BLM, regardless of surface ownership. Please know that not all leases are explored or developed, in which case there would likely be no surface disturbance to your land. However, where the lessee intends to exercise their lease rights, the BLM requires oil and gas operators to make a good faith effort to contact you prior to entering your land to conduct surveying and staking activities, and reach an agreement with you regarding surface use.

The BLM will conduct an onsite meeting with the operator when considering any application for drilling, and will invite you, as the surface owner, to participate. The BLM has developed a brochure, Split Estate: Rights, Responsibilities, and Opportunities, which outlines the roles and responsibilities of the BLM, the lessee or operator, and the surface owner regarding proposed oil and gas operations in split estate situations. You can find a copy of the brochure, and other information about oil and gas leasing and development and split estate land on our webpage at http://www.blm.gov/wo/st/en/prog/energy/oil_and_gas/best_management_practices/split_estate.html.

If you have any questions, please contact Sue Moberley at (307) 775-6175 or JoAnne Best at (307) 775-6253.

Sincerely,

Julie L. Weaver

Chief, Branch of Fluid Minerals Adjudication

Appendix F

Sample Field Office Landowner Notification Letter

Dear Surface Owner:

It is our understanding that you are the surface owner of a parcel of land that is being reviewed for our May 2011 oil and gas lease sale for land included in the XXX Field Office. The parcel is being reviewed in response to an Expression of Interest received by the Bureau of Land Management (BLM).

The XXX Field Office will be preparing an Environmental Analysis (EA) and we want to give you the opportunity to comment during this process. The EA is available online at _____ . Please submit your comments in writing or by email to the following address:

If the BLM determines that the parcel will be offered for sale in the May 2011 sale, the complete lease sale notice which describes any special stipulations will be available online 90 days prior to the sale at http://www.blm.gov/wy/st/en/programs/energy/Oil_and_Gas/Leasing.html.

If a lease is sold and issued, the lessee will have the right to explore for and develop the federally owned oil and gas, which could result in surface disturbing activities on your land. These activities are highly regulated by the BLM, regardless of surface ownership.

If you have any questions, please contact _____ .

Sincerely,

Field Manager

Figure 1
Oil and Gas Lease Sale Process

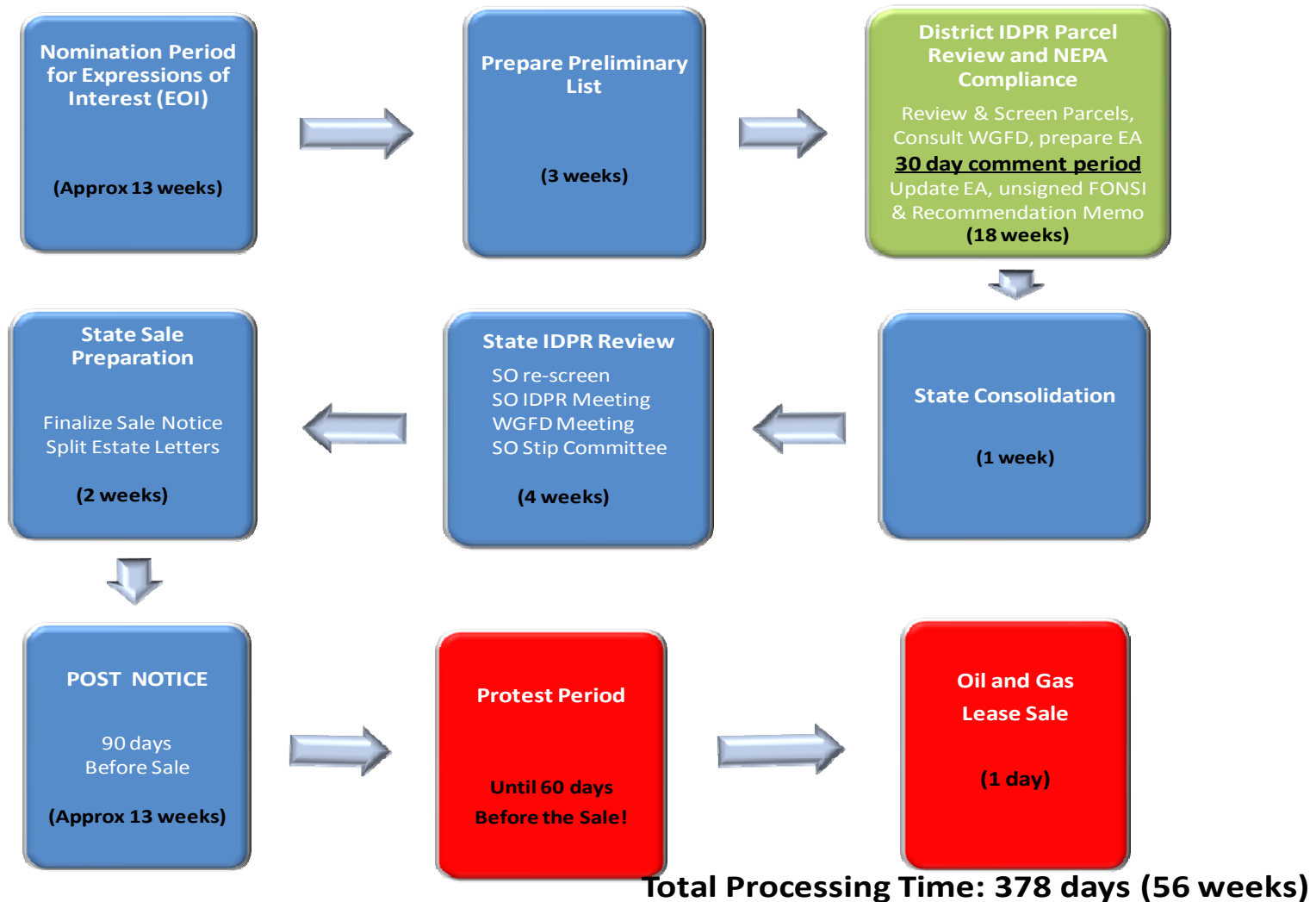


Figure 2
Standardizing Lease Stipulations

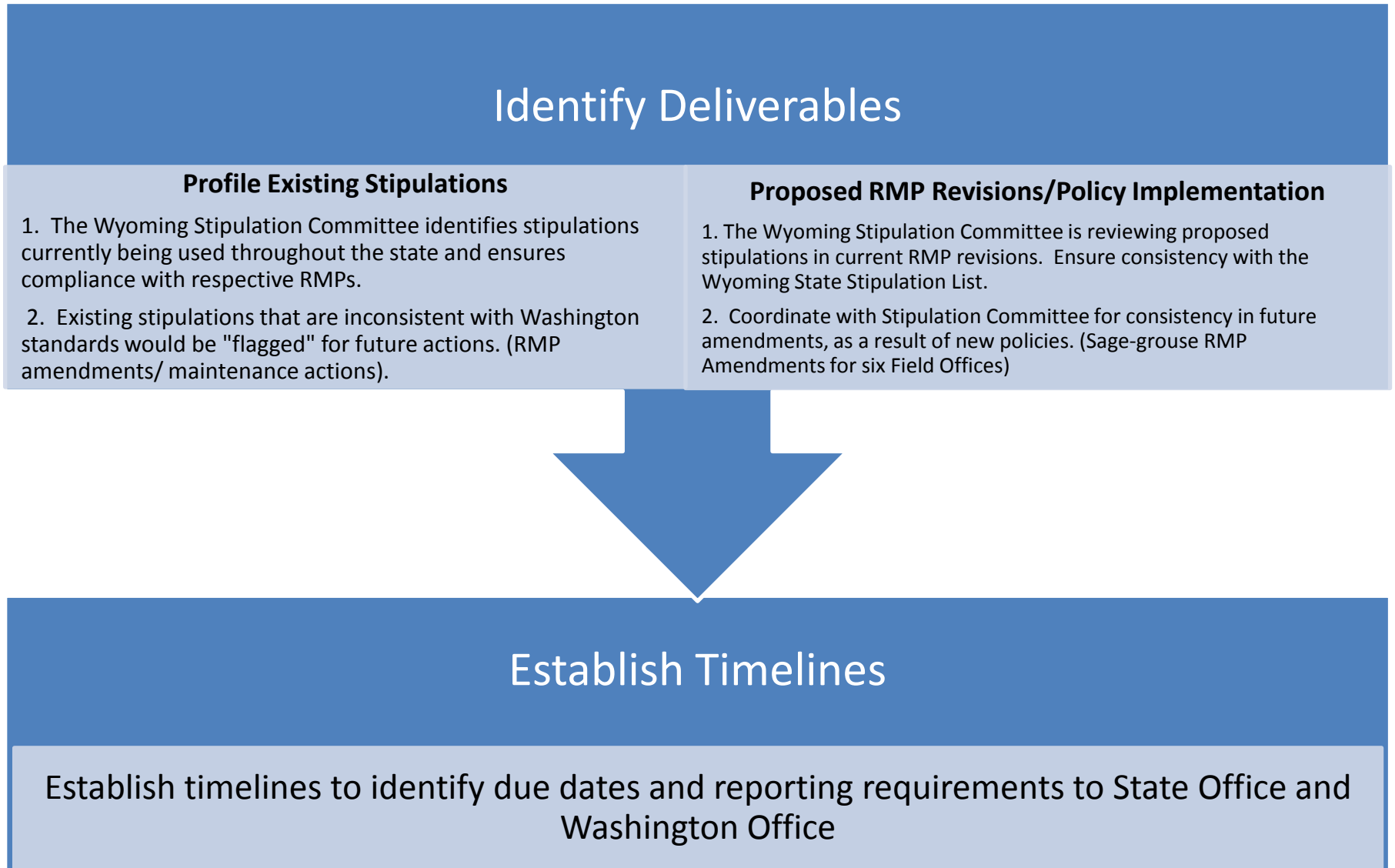


Figure 3

Edge Matching Lease Stipulations

